

REMARKS

Upon entry of the present amendment, several claims will have been canceled and several claims will have been amended. No new claims will have been submitted for consideration by the Examiner. In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration of the outstanding rejection and an indication of the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner responded to the arguments made in Applicant's amendment filed on June 30, 2004 and indicated that those arguments were persuasive of the impropriety of the rejection of any of the claims under 35 U.S.C. § 102(e) as anticipated by MAEDA. Accordingly, the Examiner withdrew the rejection. The Examiner is respectfully thanked for his review of Applicant's comments and for his withdrawal of the outstanding rejection.

In the outstanding Official Action of January 10, 2005, the Examiner rejected claims 53, 54, 57-61, 64-66 and 70 under 35 U.S.C. § 102(b) as being anticipated by FITE, Jr. et al. (U.S. Patent No. 5,517,324). The Examiner indicated claims 56, 63, 67-69 and 71-75 to be objected to for being dependent upon a rejected base claim. However, the Examiner indicated that these claims would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims.

By the present Response, and without in any manner acquiescing in the propriety of the Examiner's rejection of any of the claims in the present application as anticipated by FITE, Jr. et al., Applicant has, solely in order to expedite the allowance of the present

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application rewritten each of the independent claims to include an appropriate one of the indicated to be allowable dependent claims. Of course, claims of which the subject matter have been incorporated into the independent claims, have been canceled. Thus, Applicant respectfully submits that at least for the reasons that the Examiner indicated the objected to claims as containing allowable subject matter, all the claims in the present application are now in condition for allowance and Applicant respectfully requests an indication to such effect in due course.

Applicant notes the Examiner's Statement of Reasons for indication of allowable subject matter in the present application. In this regard, while Applicant does not disagree with any of the features enumerated by the Examiner, Applicant further wishes to point out that each of the claims in the present application recites a particular combination of features and that the patentability of each claim is also based upon the totality of the features recited in such claim. Accordingly, the reasons for allowance should not be limited to those features enumerated by the Examiner.

Accordingly, Applicant respectfully requests entry of the present amendment, reconsideration of the outstanding rejection and an indication of the allowability of all the claims pending in the present application, in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Upon entry of the present amendment, Applicant will have incorporated indicated to be allowable subject matter into each of the independent claims. Applicant will have further canceled various dependent claims. Accordingly, at least for the reasons set forth by the Examiner in his indication of allowable subject matter in claims 56, 63, 67-69 and 71-75, Applicant respectfully submits that a clear evidentiary basis supporting the patentability of all the claims in the present application has been provided.

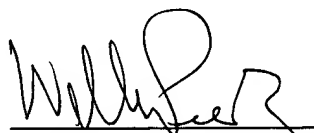
Applicant notes that the incorporation of indicated to be allowable subject matter into each of the independent claims is explicitly made without in any manner acquiescing in the propriety of the Examiner's rejection, and, as has been noted above, is made solely in order to expedite the allowance of the present application in a prompt, expedient fashion. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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